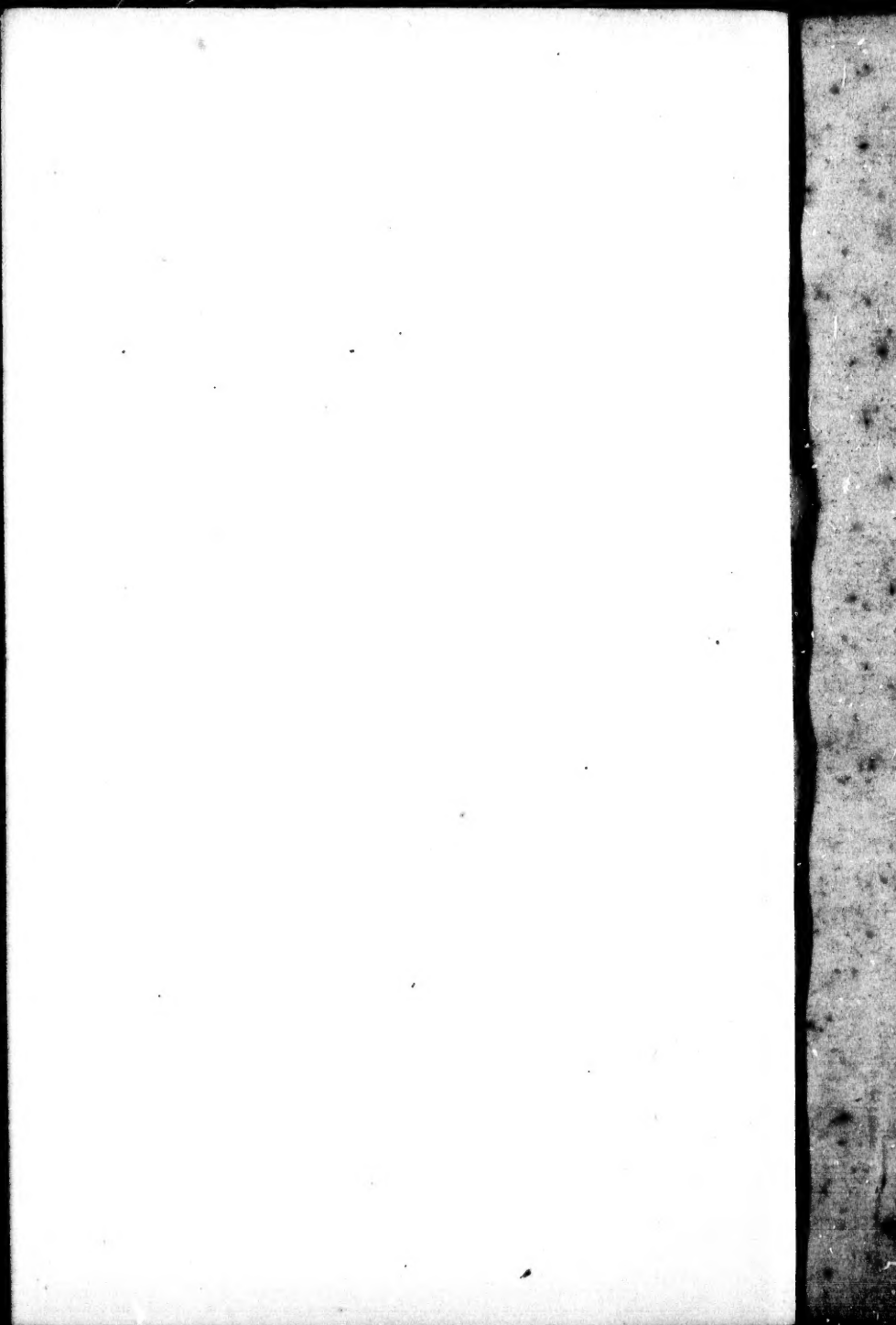




OFFICIAL COPIES

OF THE

CORRESPONDENCE

LORD MALMESBURY,

MINISTER PLÉNIPOTENTIAIRY

TO THE

FRENCH REPUBLIC,

AND THE

EXECUTIVE DIRECTORY

FRANCE,

CONTAINING

COPIES OF THE LETTERS

OF

**LORD GRENVILLE, COMTE WEDEL JARLSBERG, MESSRS.
BARTHELEMI, WICKHAM, &c. &c.**

RELATIVE TO THE

NEGOTIATIONS FOR PEACE.

LONDON:

**PRINTED FOR J. DEBARTY, OPPOSITE, SULLINGTON HOUSE,
PICCADILLY.**

1795.

OFFICIAL COPIES

OF THE

CORRESPONDENCE

OF

LORD MALLMESBURY

MINISTER OF AGRICULTURE

AND

FOREIGN AFFAIRS

AND

EXECUTIVE DIRECTORY

OF

THE HOUSE OF COMMONS

CONTAINING

COPIES OF THE PAPERS

AND DOCUMENTS RELATIVE TO THE

ADMINISTRATION OF LORD MALLMESBURY

IN THE HOUSE OF COMMONS

FROM 1851 TO 1852

LONDON:

PRINTED BY G. BARNETT, STATIONER AND PRINTER, 10, ABINGDON HOUSE,

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1853.

L I S T.

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- II. *Note transmitted from M. Barthelemi to Mr. Wickham.—Dated Basle, 6 Germinal, An 4 de la Republique Française (March 26, 1796.)*
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(2)

CORRESPONDENCE.

&c.

No. I.

*Note transmitted to M. Barthelemi by Mr. Wickham,
March 8, 1796.*

THE undersigned, his Britannic Majesty's minister plenipotentiary to the Swiss Cantons, is authorised to convey to Monsieur Barthelemi the desire of his court to be made acquainted, through him, with the dispositions of France in regard to the object of a general pacification; he therefore requests Monsieur Barthelemi to transmit to him in writing (after having made the necessary inquiries) his answer to the following questions :

1. Is there the disposition in France to open a negotiation with his Majesty and his allies for the re-establishment of a general peace upon just and suitable terms, by sending, for that purpose, ministers to a congress at such place as may hereafter be agreed upon ?

2. Would

2. Would there be the disposition to communicate to the undersigned the general grounds of a pacification, such as France would be willing to propose, in order that his Majesty and his allies might thereupon examine in concert whether they are such as might serve as the foundation of a negotiation for peace?

3. Or would there be a desire to propose any other way whatever for arriving at the same end, that of a general pacification?

The undersigned is authorised to receive from Monsieur Barthelemi the answer to these questions, and to transmit it to his court; but he is not authorised to enter with him into negotiation or discussion upon these subjects.

(Signed) **W. WICKHAM.**
Berne, March 8, 1796.

No. II.

*Note transmitted to Mr. Wickham by M. Barthelemi,
 March 26, 1796.*

THE undersigned, ambassador of the French republic to the Helvetic Body, has transmitted to the Executive Directory the note which Mr. Wickham, his Britannic Majesty's minister plenipotentiary to the Swiss Cantons, was pleased to convey to him, dated the 8th of March. He has it in command to

answer

answer it by an exposition of the sentiments and dispositions of the Executive Directory.

The Directory ardently desires to procure for the French republic a just, honourable, and solid peace. The step taken by Mr. Wickham would have afforded to the Directory a real satisfaction, if the declaration itself, which that minister makes, of his not having any order, any power to negotiate, did not give room to doubt of the sincerity of the pacific intentions of his court. In fact, if it was true, that England began to know her real interests; that she wished to open again for herself the sources of abundance and prosperity; if she sought for peace with good faith; would she propose a congress, of which the necessary result must be, to render all negotiation endless? Or would she confine herself to the asking, in a vague manner, that the French government should point out any other way whatever for attaining the same object, that of a general pacification?

Is it that this step has had no other object than to obtain for the British government the favourable impression which always accompanies the first overtures for peace? May it not have been accompanied with the hope that they would produce no effect?

However that may be, the Executive Directory, whose policy has no other guides than openness and good faith, will follow, in its explanations, a con-

duct which shall be wholly conformable to them. Yielding to the ardent desire by which it is animated to procure peace for the French republic, and for all nations, it will not fear to declare itself openly. Charged by the constitution with the execution of the laws, it cannot make or listen to any proposal that would be contrary to them. The constitutional act does not permit it to consent to any alienation of that, which, according to the existing laws, constitutes the territory of the republic.

With respect to the countries occupied by the French armies, and which have not been united to France, they, as well as other interests, political and commercial, may become the subject of a negotiation, which will present to the Directory the means of proving how much it desires to attain speedily to a happy pacification.

The Directory is ready to receive, in this respect, any overtures that shall be just, reasonable, and compatible with the dignity of the republic.

(Signed) BARTHELEMI.

*Basle, the 6th of Germinal, the
4th year of the French Re-
public, (26th of March,
1796.)*

No. III.

N O T E.

THE court of London has received from its minister in Switzerland the answer made to the questions which he had been charged to address to Monsieur Barthelemi, in respect to the opening of a negotiation for the re-establishment of general tranquillity.

This court has seen with regret how far the tone and spirit of that answer, the nature and extent of the demands which it contains, and the manner of announcing them, are remote from any disposition of peace.

The inadmissible pretension is there avowed, of appropriating to France all that the laws actually existing there may have comprized under the denomination of French territory. To a demand such as this is added an express declaration, that no proposal contrary to it will be made, or even listened to; and this under the pretence of an internal regulation, the provisions of which are wholly foreign to all other nations.

While these dispositions shall be persisted in, nothing is left for the King but to prosecute a war equally just and necessary.

Whenever his enemies shall manifest more pacific sentiments, his Majesty will at all times be

eager to concur in them, by lending himself, in concert with his allies, to all such measures as shall be best calculated to re-establish general tranquillity, on conditions just, honourable, and permanent, either by the establishment of a congress, which has been so often and so happily the means of restoring peace to Europe; or by a preliminary discussion of the principles which may be proposed on either side, as a foundation of a general pacification; or, lastly, by any impartial examination of any other way which may be pointed out to him for arriving at the same salutary end.

Downing-street, April 10, 1796.

No. 1.

Downing-street, September 6, 1796.

SIR,

IN obedience to the orders of the King my master, I have the honour to transmit to you the inclosed note, and to request of you that you will forward it to his Danish Majesty's minister at Paris, to be by him communicated to the Executive Directory.

The sentiments of your court are too well known to the King to admit of his Majesty's entertaining any doubt of the satisfaction with which his Danish Majesty will see the intervention of his ministers employed

ployed on such an occasion, or of the earnestness with which you, Sir, will concur in a measure that has for its object the re-establishment of peace.

I have the honour to be,

With the most perfect consideration,

SIR,

Your most humble,

And most obedient servant,

GRENVILLE.

To the Count Wedel Jarlsberg, &c.

No. 2.

N O T E.

HIS Britannic Majesty, animated with the same desire, which he has already manifested, to terminate, by just, honourable, and permanent conditions of peace, a war which has extended itself throughout all parts of the world, is willing to omit nothing on his part which may contribute to this object.

IT is with this view that he has thought it proper to avail himself of the confidential intervention of the ministers of a neutral power, to demand of the Executive Directory passports for a person of confidence whom his Majesty would send to Paris with a commission to discuss, with the government there,

there, all the means the most proper to produce so desirable an end.

And his Majesty is persuaded that he shall receive, without delay, through the same channel, a satisfactory answer to this demand, which cannot fail to place in a still clearer light the just and pacific dispositions which he entertains in common with his allies.

GRENVILLE.

Westminster, Sept. 16, 1796.

No. 3.

MY LORD,

I HAVE the honour to inform your Excellency, that the note addressed to the Executive Directory of France, in date of the 6th of the present month, was transmitted by Mr. Koeneemann, chargé d'affaires of his Danish Majesty, to M. Delacroix, minister for foreign affairs at Paris, who promised that an answer should be returned to it after it had been submitted to the consideration of the government. Three days having elapsed in expectation of this answer, Mr. Koeneemann went a second time to the minister above mentioned, who gave him to understand, that the Executive Directory had not permitted him to return an answer in writing, but that he was directed to express himself verbally to this effect :

“ That

"That the Executive Directory of the French republic would not for the future receive or answer any overtures or confidential papers transmitted through any intermediate channel from the enemies of the republic; but that if they would send persons furnished with full powers and official papers, these might, upon the frontiers, demand the passports necessary for proceeding to Paris."

I have the honour to be, with the most perfect respect,

My Lord,

Your Excellency's

Most humble and most obedient servant,

(Signed) Comte de WEDEL JARLSBERG.

~~Paris~~, Sept. 23, 1796.

No. 4.

Sir,

Paris, Sept. 19, 1796.

I WAS indisposed at my country house when your Excellency's courier brought me the letters, which your Excellency did me the honour to write to me on the 7th instant, together with the note of Lord Grenville inclosed therein. I set off for Paris.

on the following day, where, after demanding an audience of Citizen Delacroix, minister for foreign affairs, I presented the note above mentioned, accompanied by another in my own name, in which I explained the motives that had induced me to undertake a measure for which I had no authority from my court. He promised to submit the two notes to the inspection of the government, and to return me an answer immediately. Having waited for three days without receiving an answer, I went a second time to wait upon the minister, who, in a very dry tone, informed me, that the Executive Directory had not permitted him to return an answer in writing, but that he was directed to express himself verbally to this effect :

“ That the Executive Directory of the French republic would not, for the future, receive or answer any confidential overtures or papers transmitted through any intermediate channel from the enemies of the republic; but that if they would send persons, furnished with full powers and official papers, these might, upon the frontiers, demand the passports necessary for proceeding to Paris.”

Such, Sir, is the result of a measure which I have taken at your request. I wish, for the sake of humanity, that we may meet with better success at some future period; but I fear that this period is still at a great distance.

I have

I have the honour to be, with respectful attachment,

Sir,

Your Excellency's

Most humble and

Most obedient Servant,

KOENEMANN.

To his Excellency

The Count Wedel Jarlsberg,

Esq. Esq. Esq.

No. 5.

N O T E.

IN demanding of the Executive Directory of the French republic, through the intervention of the ministers of a neutral power, a passport for a confidential person to be sent to Paris, the court of London accompanied this demand with the express declaration, that this person should be commissioned to discuss with the government all the means the most proper for conducing to the re-establishment of peace.

The King, persevering in the same sentiments, which he has already so unequivocally declared, will not leave to his enemies the smallest pretext for eluding a discussion, the result of which will

C

necef-

necessarily serve either to produce the happiness of so many nations, or at least to render evident the views and dispositions of those who oppose themselves to it.

It is therefore in pursuance of these sentiments, that the undersigned is charged to declare, that as soon as the Executive Directory shall think proper to transmit to the undersigned the necessary passports (of which he, by this note, renews the demand already made), his Britannic Majesty will send to Paris a person furnished with full powers and official instructions to negotiate with the Executive Directory on the means of terminating the present war, by a pacification, just, honourable, and solid, calculated to restore repose to Europe, and to insure, for the time to come, the general tranquillity.

(Signed) GRENVILLE.

Westminster, Sept. 27, 1796.

*To the Minister for Foreign Affairs,
at Paris.*

No. 6.

I HAVE the honour to transmit to Lord Grenville a copy of the decree of the Executive Directory of the French republic, in answer to his note of the *27th September, 1796, (O. S.)

* Sic Orig.

He will there see a proof of the earnest desire of the French government to profit of the overture that is made to them, in the hope that it may lead to peace with the government of England.

I have the honour to send to him, at the same time, the passports required for the minister plenipotentiary, whom his Britannic Majesty proposes to name to treat; and I request Lord Grenville to accept the assurance of my personal wishes for the success of this negotiation, as well as that of my most perfect consideration.

(Signed) CH. DELACROIX.

*Paris, 11 Vendemiaire, 5th Year
of the French Republic.*

No. 7.

*Extract from the Register of the Decrees of the
Executive Directory.*

*The 9th Vendemiaire, 5th year of the French
Republic, One and Indivisible.*

THE Executive Directory, upon consideration of the note addressed to the minister for foreign affairs by Lord Grenville, dated Westminster, September 24, 1796, wishing to give a proof of the desire which it entertains to make peace with England, decrees as follows:

C 2 The

The minister for foreign affairs is charged to deliver the necessary passports to the envoy of England, who shall be furnished with full powers, not only for preparing and negotiating the peace, between the French republic and that power, but for concluding it definitively between them.

True copy,

(Signed) L. M. REVELLIERE LEPEAUX,
President.

By the Executive Directory.

For the secretary general,

(Signed) LE TOURNEUR.

Certified true copy,

The minister for foreign affairs,

CH. DELACROIX.

By the minister,

J. GUIRAUDET, Sec. Gen.

No. 7.*

LORD MALMESBURY, who is appointed by the King to treat with the French government for a just and equitable peace, calculated to restore repose to Europe, and to insure the public tranquillity for the time to come, will have the honour of delivering this letter from me to M. Delacroix.

The

The distinguished rank and merit of the minister of whom his Majesty has made choice on this occasion, makes it unnecessary for me to say any thing in his recommendation; at the same time that it furnishes a fresh proof of the desire of his Majesty to contribute to the success of this negotiation: for which object I entertain the most sanguine wishes.

Monsieur Delacroix will have the goodness to accept from me the assurance of my most perfect consideration.

(Signed)

GRENVILLE.

Westminster, Oct. 13, 1796.

*To the Minister for Foreign
Affairs, at Paris.*

No. 8.

LORD MALMSBURY, named by his Britannic Majesty as his plenipotentiary to the French republic, has the honour to announce, by his secretary, to the minister for foreign affairs his arrival at Paris; and to request of him, at the same time, to be so good as to appoint the hour at which he may wait upon him, for the purpose of communicating to him the object of his mission.

Paris, Oct. 22, 1796.

To the Minister for Foreign Affairs.

No,

No. 9.

THE minister for foreign affairs learns with satisfaction the arrival of Lord Malmesbury, plenipotentiary of his Britannic Majesty. He will have the honour to receive him to-morrow at eleven o'clock in the morning, or at any later hour that may suit him, till two o'clock. He hopes that Lord Malmesbury will forgive him for thus limiting the time, on account of the nature and the multiplicity of his occupations.

1st Brumaire, An 5.

(Oct. 22, 1796.)

*To Lord Malmesbury, minister plenipotentiary
from his Britannick Majesty to the French
republic, at Paris.*

No. 10.

LORD Malmesbury has the honour to thank the minister for foreign affairs for the obliging answer which he has just received from him.

He accepts with pleasure the first moment proposed, and will wait upon him to-morrow morning, at eleven o'clock precisely.

Paris, Oct. 22.

To the minister for foreign affairs.

No. 11.

No. 11.

THE minister for foreign affairs has the honour to apprise Lord Malmesbury, commissioner plenipotentiary of his Britannic Majesty, that he has received from the Executive Directory the necessary powers for negotiating and concluding peace between the republic and his Majesty.

To-morrow, if Lord Malmesbury pleases, the respective powers shall be exchanged. The minister for foreign affairs will then be ready to receive the propositions, which Lord Malmesbury is commissioned to make to the republic on the part of his Britannic Majesty.

The minister for foreign affairs requests Lord Malmesbury to accept the assurances of his high consideration.

(Signed)

CH. DELACROIX.

2 Brumaire, An 5.

(October 22, 1796.)

No. 12.

LORD Malmesbury has the honour to present his acknowledgements to the minister for foreign affairs for the communication which he has just made to him, and he will have the honour to wait upon

upon him to-morrow, at the hour which he shall have the goodness to appoint, to receive the copy of the full powers with which he is furnished on the part of the Executive Directory; and as soon as they shall have been exchanged, he will be ready to commence the negotiation with which he is charged.

He requests the minister for foreign affairs to accept the assurances of his high consideration.

(Signed) MALMESBURY.

Paris, Oct. 23, 1796.

No. 13.

*Extract from the Register of the Decrees of the
Executive Directory.*

*2 Brumaire (22 Nov.) 5th year of the French
republic, one and indivisible.*

THE Executive Directory, after having heard the report of the minister for foreign affairs,

The citizen Charles Delacroix, minister for foreign affairs, is charged to negotiate with Lord Malmesbury, commissioner plenipotentiary of his Britannic Majesty, furnished with full powers to prepare and negotiate peace between the French republic and that power, and to conclude it definitively between them. The Directory gives to

the said minister all powers necessary for concluding and signing the treaty of peace to take place between the republic and his Britannic Majesty. He shall conform himself to the instructions which shall be given him. He shall render a regular account, from time to time, of the progress and of the issue of the negotiation.

The present decree shall not be printed at this time:

A true copy.

(Signed) L. R. REVEILLERE LEPEAUX.

By the Executive Directory.

The secretary general,

(Signed) LA GARDE.

Copy.

The minister for foreign affairs,

(Signed) CH. DELACROIX.

By the Minister.

(L. S.) T. GUIRAUDET, sec. gen.

No. 14.

MEMORIAL.

HIS Britannic Majesty desiring, as he has already declared, to contribute, as far as depends on him, to the re-establishment of public tranquillity, and to ensure, by the means of just, honourable,

able, and solid conditions of peace, the future repose of Europe; his Majesty is of opinion, that the best means of attaining, with all possible expedition, that salutary end, will be to agree, at the beginning of the negotiation, on the general principle which shall serve as a basis to the definitive arrangements.

The first object of negotiations for peace generally relates to the restitutions and cessions which the respective parties have mutually to demand, in consequence of the events of the war.

Great Britain, from the uninterrupted success of her naval war, finds herself in a situation to have no restitution to demand of France, from which, on the contrary, she has taken establishments and colonies of the highest importance, and of a value almost incalculable.

But, on the other hand, France has made on the continent of Europe conquests to which his Majesty can be the less indifferent, as the most important interests of his people, and the most sacred engagements of his crown, are essentially implicated therein.

The magnanimity of the King, his inviolable good faith, and his desire to restore repose to so many nations, induce him to consider this situation of affairs as affording the means of procuring for all the belligerent powers just and equitable terms of peace, and such as are calculated to insure for the time to come the general tranquillity.

It is on this footing, then, that he proposes to negotiate, by offering to make compensation to France, by proportionable restitutions, for those arrangements to which she will be called upon to consent, in order to satisfy the just demands of the King's allies, and to preserve the political balance of Europe.

Having made this first overture, his Majesty will, in the sequel, explain himself more particularly on the application of this principle to the different objects which may be discussed between the respective parties.

It is this application which will constitute the subject of those discussions, into which his Majesty has authorised his minister to enter, as soon as the principle to be adopted as the general basis of the negotiation is known.

But his Majesty cannot omit to declare, that if this generous and equitable offer should not be accepted, or if unfortunately the discussions which may ensue should fail to produce the desired effect, neither this general proposition, nor those more detailed which may result from it, can be regarded in any case as points agreed upon or admitted by his Majesty.

(Signed)

MALMESBURY,

*Minister plenipotentiary from
His Britannic Majesty.*

Paris, Oct. 24, 1796.

D. 2 *the original Extract*

No. 15.

*Extract from the Register of the Deliberations of
the Executive Directory.**Paris, 5 Brumaire, 5th year of the
republic, one and indivisible.*

THE Executive Directory orders the minister for foreign affairs to make the following answer to Lord Malmesbury :

The Executive Directory sees with pain, that at the moment when it had reason to hope for the speedy return of peace between the French republic and his Britannic Majesty, the proposal of Lord Malmesbury offers nothing but dilatory or very distant means of bringing the negotiation to a conclusion.

The Directory observe, that if Lord Malmesbury would have agreed to treat separately, as he was formally authorised by the tenour of his credentials, the negotiations might have been considerably abridged; that the necessity of balancing with the interests of the two powers those of the allies of Great Britain, multiplies the combinations, increases the difficulties, tends to the formation of a congress, the forms of which it is known are always tardy, and requires the accession of powers which hitherto have displayed no desire of accommodation,

modation, and have not given to Lord Malmesbury himself, according to his own declaration, any power to stipulate for them.

Thus, without prejudging the intentions of Lord Malmesbury, without drawing any conclusion from the circumstance of his declaration not appearing to accord with his credentials, without supposing that he has received any secret instructions which would destroy the effect of his ostensible powers, without pretending, in short, to assert that the British government have had a double object in view—to prevent, by general propositions, the partial propositions of other powers, and to obtain from the people of England the means of continuing the war, by throwing upon the republic the odium of a delay, occasioned by themselves; the Executive Directory cannot but perceive that the proposition of Lord Malmesbury is nothing more than a renewal, under more amicable forms, of the propositions made last year by Mr. Wickham, and that it presents but a distant hope of peace.

The Executive Directory further observe, with regard to the principle of retrocessions advanced by Lord Malmesbury, that such a principle, presented in a vague and isolated manner, cannot serve as the basis of negotiation; that the first points of consideration are, the common necessity of a just and solid peace, the political equilibrium which absolute retrocessions might destroy, and then the means

means which the belligerent powers might possess—the one to retain conquests made at a time when it was supported by a great number of allies, now detached from the coalition; and the other, to recover them at a time when those who were at first its enemies have, almost all, become either its allies, or at least neuter.

Nevertheless, the Executive Directory, animated with an ardent desire of putting a stop to the scourge of war, and to prove that they will not reject any means of reconciliation, declare, that as soon as Lord Malmesbury shall exhibit to the minister for foreign affairs sufficient powers from the allies of Great Britain for stipulating for their respective interests, accompanied by a promise on their part to subscribe to whatever shall be concluded in their names, the Executive Directory will hasten to give an answer to the specific propositions which shall be submitted to them, and that the difficulties shall be removed, as far as may be consistent with the safety and dignity of the French republic.

(Signed)

A true copy.

L. M. REVEILLIERE LEPEAUX, Pres.

By the Executive Directory.

(Signed)

LA GARDE, sec. gen.

A true copy,

The minister for foreign affairs,

CH. DELACROIX.

By the minister.

The secretary general,

J. GUIRAUDET.

No. 16.

No. 16.

N O T E.

THE undersigned has not failed to transmit to his court the answer of the Executive Directory to the proposals which he was charged to make, as an opening to a pacific negotiation.

With regard to the offensive and injurious insinuations which are contained in that paper, and which are only calculated to throw new obstacles in the way of the accommodation which the French government professes to desire, the King has deemed it far beneath his dignity to permit an answer to be made to them on his part in any manner whatsoever.

The progress and the result of the negotiation will sufficiently prove the principles by which it will have been directed on each side; and it is neither by revolting reproaches wholly destitute of foundation, nor by reciprocal invective, that a sincere wish to accomplish the great work of pacification can be evinced.

The undersigned passes, therefore, to the first object of discussion brought forward in the answer of the Executive Directory;—that of a separate negotiation, to which it has been supposed, without the smallest foundation, that the undersigned was authorised to accede.

His

His full powers, made out in the usual form, give him all necessary authority to negotiate and to conclude the peace; but these powers prescribe to him neither the form, the nature, nor the conditions of the future treaty.

Upon these points, he is bound to conform himself, according to the long established and received custom of Europe, to the instructions which he shall receive from his court; and accordingly, he did not fail to acquaint the minister for foreign affairs, at their first conference, that the King his master had expressly enjoined him to listen to no proposal tending to separate the interests of his Majesty from those of his allies.

There can be no question then but of a negotiation which shall combine the interests and pretensions of all the powers who make a common cause with the King in the present war.

In the course of such a negotiation, the intervention, or, at least, the participation of these powers will doubtless become absolutely necessary; and his Majesty hopes to find at all times the same dispositions to treat, upon a just and equitable basis, of which his Majesty, the Emperor and King, gave to the French government so striking a proof at the very moment of the opening of the present campaign.

But it appears, that the waiting for a formal and definitive authority on the part of the allies of the
King,

King, before Great Britain and France begin to discuss, even provisionally, the principles of the negotiation, would be to create a very useless delay.

A conduct wholly different has been observed by these two powers on almost all similar occasions; and his Majesty thinks, that the best proof which they can give, at the present moment, to all Europe, of their mutual desire to put a stop, as soon as possible, to the calamities of war, would be to settle, without delay, the basis of a combined negotiation, inviting, at the same time, their allies to concur in it, in the manner the most proper for accelerating the general pacification.

It is with this view that the undersigned was charged to propose at first, and at the very commencement of the negotiation, a principle, which the generosity and good faith of his Majesty could alone dictate to him—that of making compensation to France, by proportionable restitutions, for the arrangements to which she will be to consent, in order to satisfy the just pretensions of the King's allies, and to preserve the political balance of Europe.

The Executive Directory has not explained itself in a precise manner, either as to the acceptance of this principle, or as to the changes or modifications which it may desire to be made in it; nor has it, in short, proposed any other principle whatever to answer the same end.

The undersigned, then, has orders to recur to this point, and to demand, on that head, a frank and precise explanation, in order to abridge the delays, which must necessarily result from the difficulty of form, which has been started by the Executive Directory.

He is authorised to add to this demand the express declaration, that his Majesty, in communicating to his august allies every successive step which he may take relative to the object of the present negotiation, and in fulfilling, towards those sovereigns, in the most efficacious manner, all the duties of a good and faithful ally, will omit nothing on his part, as well to dispose them to concur in this negotiation, by the means the most proper to facilitate its progress and insure its success, as to induce them always to persist in sentiments conformable to the wishes which he entertains for the return of a general peace, upon just, honourable, and permanent conditions.

(Signed) MALMESBURY.

Paris, November 12, 1796.

No. 17.

THE undersigned is charged by the Executive Directory to invite you to point out, without the smallest delay, and expressly, the objects of reciprocal compensation which you propose.

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He is, moreover, charged to demand of you, what are the dispositions to treat, on a just and equitable basis, of which his Majesty, the Emperor and King, gave to the French Government so striking a proof, at the very commencement of the campaign. The Executive Directory is unacquainted with it. It was the Emperor and King who broke the armistice.

(Signed)

CH. DELACROIX.

Paris, 22 Brumaire, (Nov. 12)

5th Year of the French Republic.

No. 18.

THE undersigned does not hesitate a moment to answer the two questions which you have been instructed by the Executive Directory to put to him.

The memorial presented this morning by the undersigned proposes, in express terms, on the part of his Majesty the King of Great Britain, to compensate France, by proportionable restitutions, to the arrangements to which she will be called upon to consent, in order to satisfy the just pretensions of the King's allies, and to preserve the political balance of Europe.

Before the formal acceptance of this principle, or the proposal, on the part of the Executive Direc-

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tory,

tory, of some other principle, which might equally serve as the basis of a negotiation for a general peace, the undersigned cannot be authorised to designate the objects of reciprocal compensation.

As to the proof of the pacific dispositions given to the French Government by his Majesty, the Emperor and King, at the opening of the campaign, the undersigned contents himself with a reference to the following words contained in the note of Baron D'Engleman, on the 4th of June last.

"The operations of the war will in no wise prevent his Imperial Majesty from being ever ready to concur, agreeably to any form of negotiation which shall be adopted, in concert with the belligerent powers, in the discussion of proper means for putting a stop to the farther effusion of human blood."

This note was presented after the armistice was broken.

MALMESBURY.

Paris, November 12, 1796.

No. 19.

THE Minister Plenipotentiary of his Britannic Majesty requests the minister for foreign affairs to inform him, whether he is to consider the official note which he received from him yesterday evening, as the answer to that which Lord Malmesbury delivered

delivered yesterday morning to the minister for foreign affairs, by order of his court. He applies for this information, that the departure of his courier may not be unnecessarily delayed.

MALMESBURY.

Paris, Nov. 13, 1796.

No. 20.

THE undersigned, minister for foreign affairs, declares to Lord Malmesbury, minister plenipotentiary from his Britannic Majesty, that he is to consider the official note sent to him yesterday as the answer to that which Lord Malmesbury had addressed to him on the morning of the same day.

CHARLES DELACROIX.

23 Brumaire, 5th Year,
November 13, 1796.

No. 21.

LORD MALMESBURY has just received the answer of the minister for foreign affairs, in which he declares that the official note which he sent to him yesterday, is to be considered as the answer to that which Lord Malmesbury addressed to him on the morning of the same day.

Lord

Lord Malmesbury will transmit it, this day, to his court.

MALMESBURY.

Paris, Nov. 13, 1796.

No. 22.

THE undersigned, in reply to your second note of yesterday, is ordered by the Executive Directory to declare to you, that he has nothing to add to the answer which has been addressed to you. He is also instructed to ask you, whether, on each official communication which shall take place between you and him, it will be necessary for you to send a courier to receive special instructions?

CHARLES DELACROIX.

Paris, Brumaire, (Nov. 13.)
5th Year.

No. 23.

THE undersigned will not fail to transmit to his court the note which he has just received from the minister for foreign affairs. He declares likewise that he shall dispatch couriers to his court as often as the official communications made to him may require special instructions.

(Signed)

MALMESBURY.

Paris, 13th Nov. 1796.

No. 24.

N O T E.

THE court of London, having been informed of what has passed in consequence of the last memorial, delivered, by its order, to the minister for foreign affairs, does not think it necessary to add any thing to the answer made by the undersigned to the two questions which the Directory thought proper to address to him.

That court waits therefore, and with the greatest anxiety, for an explanation of the sentiments of the Directory, with regard to the principle it has proposed, as the basis of the negotiation, and the adoption of which appeared to be the best means of accelerating the progress of a discussion so important to the happiness of so many nations.

The undersigned has, in consequence, received orders to renew the demand of a frank and precise answer on this point, in order that his court may know, with certainty, whether the Directory accepts that proposal; or desires to make any change or modification whatever in it; or lastly, whether it would wish to propose any other principle, that may promote the same end.

M. ALMESBURY.

Paris, November 26, 1798.

No. 25.

No. 25.

IN answer to the note delivered yesterday, November 26, by Lord Malmesbury, the undersigned minister for foreign affairs, is instructed, by the Directory, to observe, that the answers made on the 5th and 22d of last Brumaire, contained an acknowledgment of the principle of compensation, and that, in order to remove every pretext for farther discussion on that point, the undersigned, in the name of the Executive Directory, now makes a formal and positive declaration of such acknowledgment.

In consequence, Lord Malmesbury is again invited to give a speedy and categorical answer to the proposal made to him on the 22d of last Brumaire, and which was conceived in these terms: " The undersigned is instructed by the Executive Directory to invite you to designate, without the least delay, and expressly, the objects of reciprocal compensation which you have to propose.

CH. DELACROIX.

Paris, Nov. 27.

No. 26.

THE undersigned minister plenipotentiary of his Britannic Majesty, in answer to the note dated

this morning, which was sent to him by the minister for foreign affairs, hastens to assure him, that he will not delay a moment in communicating it to his court, from which he must necessarily wait for further orders, before he can explain himself upon the important points which it contains.

(Signed) MALMESBURY.

Paris, 27th Nov. 1796.

No. 27.

N O T E.

THE undersigned is charged to transmit to the minister for foreign affairs the enclosed memorial, containing the proposals of his court, with respect to the application of the general principle already established, as the basis of the negotiation for peace.

He will, with the utmost readiness, enter with that minister into every explanation which the state and progress of the negotiation will allow, and he will not fail to enter into the discussion of these propositions, or of any counter-project which may be transmitted to him on the part of the Executive Directory, with that frankness and that spirit of conciliation, which correspond with the just and pacific intentions of his court.

(Signed) MALMESBURY.

Paris, December 17, 1796.

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No. 28.

No. 28.

CONFIDENTIAL MEMORIAL on the principal Objects of Restitution, Compensation, and reciprocal Arrangement,

THE principle, already established, as the basis of the negotiation, by the consent of the two governments, is founded on restitutions to be made by his Britannic Majesty to France, in compensation for the arrangements to which that power may consent, in order to satisfy the just pretensions of the allies of the King, and to preserve the political balance of Europe.

In order to accomplish these objects, in the manner the most complete, and to offer a fresh proof of the sincerity of his wishes for the re-establishment of general tranquillity, his Majesty would propose, that there should be given to this principle, on each side, all the latitude of which it may be susceptible.

I. His Majesty demands therefore,

1. The restitution, to his Majesty, the Emperor and King, of all his dominions, on the footing of the *status ante bellum*.

2. The re-establishment of peace between the Germanic empire and France, by a suitable arrangement, conformable to the respective interests, and to the general safety of Europe. This arrangement

ment to be negotiated with his Imperial Majesty, as constitutional head of the empire, either by the intervention of the King, or immediately, as his Imperial Majesty shall prefer.

3. The evacuation of Italy by the French troops, with an engagement not to interfere in the internal affairs of that country ; which should be re-established, as far as possible, upon the footing of the *status ante bellum*.

In the course of the negotiation, a more detailed discussion may be entered into of the further measures which it may be proper to adopt, respecting the objects of these three articles, in order to the providing more effectually for the future security of the respective limits and possessions, and for the maintenance of general tranquillity.

II. With regard to the other allies of his Britannic Majesty, his Majesty demands, that there be reserved to her Majesty the Empress of all the Russias, a full and unlimited power, of taking part in this negotiation, whenever she may think fit, or of acceding to the definitive treaty, and thereby returning to a state of peace with France.

III. His Majesty also demands, that her Most Faithful Majesty may be comprehended in this negotiation, and may return to a state of peace with France, without any cession or burthensome condition on either side.

IV. On these conditions, his Majesty offers to France the entire and unreserved restitution of all

the conquests which he has made on that power in the East and West Indies, proposing at the same time that a mutual understanding should be established as to the means of securing for the future the tranquillity of the two nations, and of consolidating, as much as possible, the advantages of their respective possessions. His Majesty offers, in like manner, the restitution of the islands of St. Pierre and Miquelon, and of the fishery of Newfoundland, on the footing of the *status ante bellum*.

But if, in addition to this, his Majesty were to wave the right given to him by the express stipulations of the Treaty of Utrecht, of opposing the cession of the Spanish part of St. Domingo to France, his Majesty would then demand, in return for this concession, a compensation, which might secure, at least in some degree, the maintenance of the balance of the respective possessions in that part of the world.

V. In all the cases of cessions or restitutions, which may come in question in the course of this negotiation, there should be granted on each side, to all individuals, the most unlimited right to withdraw with their families and their property, and to sell their land and other immoveable possessions; and adequate arrangements should also be made, in the course of this negotiation, for the removal of all sequestrations, and for the satisfaction

tion of the just claims which individuals on either side may have to make upon the respective governments.

(Signed) MALMESBURY.

No. 29.

Confidential Memorial on the Peace with Spain and Holland.

THE allies of France not having hitherto expressed any desire or disposition to treat with the King, his Majesty might have forborne to enter into any detail on their account; but in order to avoid any delays prejudicial to the great object which the King has in view, and to accelerate the work of a general peace, his Majesty will not refuse to explain himself in the first instance on the points which concern those powers. If, then, the Catholic King should desire to be comprehended in this negotiation, or be allowed to accede to the definitive treaty, this would meet with no obstacle on the part of his Majesty. Nothing having hitherto been conquered by either of the two sovereigns from the other, no other point could, at the present moment, come into question but that of the re-establishment of peace, simply, and without any restitution or compensation whatever, except

cept such as might possibly result from the application of the principle declared at the end of the fourth article of the memorial already delivered to the minister for foreign affairs.

But if, during the negotiation, any alteration should take place in the state of things, in this respect, it will then be proper to agree upon the restitution and compensations to be made on each side.

With regard to the Republic of the United Provinces, his Britannic Majesty and his allies find themselves too nearly interested in the political situation of those provinces, to be able to consent in their favour to the re-establishment of the *status ante bellum* as with respect to territorial possessions, unless France could, on her part, reinstate them in all respects in the same political situation in which they stood before the war.

If, at least, it were possible to re-establish in those provinces, agreeably to what is believed to be the wish of a great majority of the inhabitants, their ancient constitution and form of government, his Majesty might then be disposed to relax, in their favour, from a very considerable part of the conditions on which the present state of things obliges him to insist.

But if, on the contrary, it is with the republic of Holland, in its present state, that their Britannic and Imperial Majesties will have to treat, they will feel themselves obliged to seek in territorial acqui-

sitions

sitions, those compensations, and that security, which such a state of things will have rendered indispensable to them.

Restitutions of any kind, in favour of Holland, could in that case be admitted, in so far only as they shall be compensated by arrangements calculated to contribute to the security of the Austrian Netherlands. The means of accomplishing this object will be found in the cessions which France has exacted in her treaty of peace with Holland; and the possession of which, by that power, would in any case be absolutely incompatible with the security of the Austrian Netherlands, in the hands of his Imperial Majesty.

It is on these principles that his Britannic Majesty would be ready to treat for the re-establishment of peace with the republic of Holland in its present state. The details of such a discussion must necessarily lead to the consideration of what would be due to the interests and the rights of the House of Orange.

No. 30.

MY LORD,

Paris, Dec. 20, 1796.

MR. ELLIS returned here, from London, on Thursday last, the 15th instant, at five P. M. and deli-

delivered to me the dispatches No. 11 and 12, with which he was charged by your Lordship.

Although nothing can be clearer, more ably drawn up, or more satisfactory, than the instructions they contain; yet as it was of the last importance that I should be completely master of the subject before I saw the French minister, I delayed asking for a conference till late on Friday evening, with a view that it should not take place till Saturday morning.

He appointed the hour of eleven A. M. on that day, and it was near one before we parted. Although what is said by M. Delacroix before he has communicated with the Directory, cannot be considered as officially binding, and probably may, in the event, be very different from what I shall hear when he speaks to me in their name; yet, as it is impossible they should not nearly conjecture the nature of the overtures I should make, and of course be prepared in some degree for them, it is material that your Lordship should be accurately acquainted with the first impressions they appear to make on M. Delacroix.

I prefaced what I had to communicate with saying, that I now came authorised to enter with him into deliberation upon one of the most important subjects that perhaps ever was brought into discussion; that its magnitude forbade all *finesse*, excluded all prevarication, suspended all prejudices,

and that, as I had it in command to speak and act with freedom and truth, I expected that he, on his part, would consider these as the only means which could or ought to be employed, if he wished to see a negotiation, in which the happiness of millions was involved, terminate successfully. That, for greater precision, and with a view to be clearly understood in what I was about to propose, I would give him a confidential memorial, accompanied by an official note, both which, when he had perused them, would speak for themselves. The memorial contained the conditions, on the accomplishment of which his Majesty considered the restoration of peace to depend. The note was expressive of his Majesty's readiness to enter into any explanation required by the Directory on the subject, or to receive any *contre projet*, resting on the same basis, which the Directory might be disposed to give in. That, moreover, I did not hesitate declaring to him, in conformity to the principles which I had laid down, and from which I certainly never should depart, at any period of the negotiation, that I was prepared to answer any questions, explain and elucidate any points, on which it was possible to foresee that doubts or misconceptions could arise, on the consideration of these papers. And having said thus much, I had only to remark, that I believed, in no similar negotiation which had ever taken place, any minister was authorised, in the first instance,

stance, to go so fully into the discussion as I now was. That I was sure neither the truth of this remark, nor the manifest conclusion to be drawn from it, would escape M. Delacroix's observation.

I then put the two papers into his hands. He began by reading the note, on which, of course, he could only express satisfaction. After perusing the confidential memorial, with all the attention it deserved, he, after a short pause, said, that it appeared to him to be liable to insurmountable objections; that it seemed to him to require much more than it conceded, and, in the event, not to leave France in a situation of proportional greatness to the powers of Europe. He said, the act of their constitution, according to the manner in which *it was interpreted by the best publicists*, (and this phrase is worthy remark) made it impossible for the republic to do what we required. The Austrian Netherlands were annexed to it; they could not be disposed of without flinging the nation into all the confusion which must follow a convocation of the primary assemblies; and he said, he was rather surprised, that Great Britain should bring this forward as the governing condition of the treaty, since he thought he had, in some of our late conversations, fully explained the nature of their constitution to me. I replied, that every thing I had heard from him on this point, was perfectly in my recollection, as it probably was in his; that though
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I had listened to him with that attention I always afforded to every thing he said, yet I had never made him any sort of reply, and had neither admitted, nor controverted his opinion : that although I believed I could easily disprove this opinion from the spirit of the French constitution itself; yet the discussion of that constitution was perfectly foreign to the object of my mission ; since, even allowing his two positions, viz. that the retrocession of the Austrian Netherlands was incompatible with their laws, and that we ought to have known that beforehand ; yet that there existed a *droit public* in Europe, paramount to any *droit public* they might think proper to establish within their own dominions ; and that, if their constitution was publicly known, the treaties existing between his Majesty and the Emperor were at least equally public, and in these it was clearly and distinctly announced, that the two contracting parties reciprocally promise not to lay down their arms without the restitution of all the dominions, territories, &c. which may have belonged to either of them before the war. That the date of this stipulation was previous to their annexing the Austrian Netherlands to France ; and the notoriety of this ought, at the very moment when they had passed that law, to have convinced them, that, if adhered to, it must prove an insurmountable obstacle to peace. I applied his maxim to the West India Islands, and to the settlements in

the East Indies ; and asked him, whether it was expected that we were to wave our right of possession, and be required still to consider them as integral parts of the French republic, which *must* be restored, and on which no value was to be set in the balance of compensation. I also stated the possible case of France having lost part of what she deemed her integral dominions, instead of having added to them, in the course of the war ; and whether then, under the apprehension of still greater losses, the government, as it was now composed, should consider itself as not vested with powers sufficient to save their country from the impending danger, by making peace on the conditions of sacrificing a portion of their dominions to save the remainder. M. Delacroix said, this was stating a case of necessity, and such a mode of reasoning did not attach to the present circumstances. I readily admitted the first part of this proposition ; but contended, that if the power existed in a case of necessity, it equally existed in all others, and particularly in the case before us, since he himself had repeatedly told me that peace was what this country and its government wished for, and even wanted.

M. Delacroix, in reply, shifted his ground, and by a string of arguments, *founded on premises calculated for this purpose, attempted to prove, that from the relative situation of the adjacent countries, the present government of France would be reprehensible

hensible in the extreme, and deserve impeachment, if they ever suffered the Netherlands to be separated from their dominions; that by the partition of Poland, Russia, Austria, and Prussia, had increased their power to a most formidable degree; that England, by its conquests, and by the activity and judgment with which it governed its colonies, had doubled its strength. Your Indian empire alone, said M. Delacroix with vehemence, has enabled you to subsidise all the powers of Europe against us, and your monopoly of trade has put you in possession of a fund of inexhaustible wealth. His words were, "*Votre empire dans l'Inde vous a fourni les moyens de salarier toutes les puissances contre nous, et vous avez accaparé le commerce de manière que toutes les richesses du monde se versent dans vos coffres.*"

From the necessity that France should keep the Netherlands and the left bank of the Rhine, for the purpose of preserving its relative situation in Europe, he passed to the advantages which he contended would result to the other powers by such an addition to the French dominions. Belgium, (to use his word) by belonging to France, would remove what had been the source of all wars for two centuries past; and the Rhine, being the natural boundary of France, would insure the tranquillity of Europe for two centuries to come. I did not feel it necessary to combat this preposterous doctrine;

trine; I contented myself with reminding him of what he had said to me in one of our last conferences, when he made a comparison of the weakness of France under its monarchs, and its strength and vigour under its republican form of government, "*Nous ne sommes plus dans la décrépitude de la France monarchique, mais dans toute la force d'une république adolescente,*" was his expression; and I inferred from this, according to his own reasoning, that the force and power France had acquired by its change of government, was much greater than it could derive from any acquisition of territory; and that it followed, if France, when under a regal form of government was a very just and constant object of attention, not to say of jealousy, to the other powers of Europe, France, (admitting his axiom) was a much more reasonable object of jealousy and attention, under its present constitution, than it ever had yet been; and that no addition to its dominions could be seen by its neighbours, but under impressions of alarm for their own future safety, and for the general tranquillity of Europe. M. Delacroix's answer to this was so remarkable, that I must beg leave to insert it in what I believe to be nearly his own words. "*Dans le tems revolutionnaire tout ce que vous dites, my Lord, étoit vrai—rien n'égalait notre puissance; mais ce tems n'existe plus. Nous ne pouvons plus lever la nation en masse pour voler au secours de la patrie en danger. Nous ne pouvons*

"pouvons plus engager nos concitoyens d'ouvrir leurs bourses pour les verser dans le trésor national, et de se priver même du nécessaire pour le bien de la chose publique." And he ended by saying, that the French republic, when at peace, necessarily must become the most quiet and pacific power in Europe. I only observed, that in this case the passage of the republic, from youth to decrepitude, had been very sudden; but that still I never could admit, that it could be a matter of indifference to its neighbours, much less one necessary security to itself, to acquire such a very extensive addition to its frontiers, as that he had hinted at.

This led M. Delacroix to talk of offering an equivalent to the Emperor for the Austrian Netherlands; and it was to be found, according to his plan, in the secularization of the three ecclesiastical electorates, and several bishoprics in Germany and in Italy.

He talked upon this subject as one very familiar to him, and on which his thoughts had been frequently employed.

He spoke of making new electors, and named, probably with a view to render his scheme more palatable, the Stadtholder and the Dukes of Brunswick and Wurtemberg as persons proper to replace the three ecclesiastical electors which were to be re-formed.

I would

It would be making an ill use of your Lordship's time to endeavour to repeat to you all he said on this subject; it went in substance (as he himself confessed) to the total subversion of the present constitution of the Germanic body; and as it militated directly against the principle which both his Majesty and the Emperor laid down so distinctly as the basis of the peace to be made for the empire, I contented myself with reminding him of this circumstance, particularly as it is impossible to discuss this point with any propriety till his Imperial Majesty becomes a party to the negotiation. I took this opportunity of hinting, that if on all the other points France agreed to the proposals now made, it would not be impossible that some increase of territory might be ceded to her on the Germanic side of her frontiers, and that this, in addition to the duchy of Savoy, Nice, and Avignon, would be a very great acquisition of strength and power. M. Delacroix here again reverted to the constitution, and said, that these countries were already constitutionally annexed to France. I replied, that it was impossible, in the negotiation which we were beginning, for the other powers to take it up from any period but that which immediately preceded the war, and that any acquisition or diminution of territory which had taken place among the belligerent powers since it first broke out, must necessarily become subject matter for negotiation,

and be balanced against each other in the final arrangement of a general peace. You then persist, said M. Delacroix, in applying this principle to Belgium ? I answered, most certainly ; and I should not deal fairly with you if I hesitated to declare, in the outset of our negotiation, that on this point you must entertain no expectation that his Majesty will relax, or ever consent to see the Netherlands remain a part of France.

M. Delacroix replied, he saw no prospect in this case of our ideas ever meeting, and he despaired of the success of our negotiation. He returned again, however, to his idea of a possible equivalent to be found for the Emperor ; but as all he proposed was the alienation or dismemberment of countries not belonging to France, even by conquest, I did not consider it as deserving attention, and it is certainly not worth repeating to your Lordship.

I need not observe that all the equivalents proposed, however inadequate to the exchange, were offered as a return for our consent that the Netherlands should remain part of France, of course the admitting them in any shape would have been in direct contradiction to my instructions.

M. Delacroix touched very slightly on Italy ; and the course of our conversation did not bring this part of the subject more into discussion.

I must add, that whenever I mentioned the restoration of the Netherlands to the Emperor, I al-

ways took care it should be understood that these were to be accompanied by such further cessions as should form a competent line of defence, and that France could not be permitted to keep possession of all the intermediate country to the Rhine; and I particularly dwelt on this point, when I held out the possibility of admitting an extension of the limits of France on the side of Germany. But as the French minister no less strenuously opposed the restitution of the Netherlands to the Emperor, than I tenaciously insisted upon it, the further extension of my claim could not of course become a subject of argument.

I believe I have now, with a tolerable degree of accuracy, informed your Lordship of all that the French minister said on my opening myself to him on that part of my instructions which more immediately relates to peace between Great Britain, his Imperial Majesty, and France. It remains with me to inform your Lordship what passed between us on the subject of our respective allies,

On the articles reserving a right to the court of St. Petersburg, and to that of Lisbon, to accede to the treaty of peace on the strict *status ante bellum*, the French minister made no other remark than by mentioning the allies of the republic, and by inquiring whether I was prepared to say any thing relative to their interests, which certainly the republic could never abandon. This afforded me
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the opportunity of giving in the confidential memorial B. relative to Spain and Holland, and I prefaced it by repeating to him the substance of the first part of your Lordship's, No. 12.

Although I had touched upon the subject of the Spanish part of St. Domingo, when I had been speaking to M. Delacroix on the peace with France, yet, as it did not become a matter of discussion between us till I came to mention the peace with Spain, I thought it better to place all that passed on the subject in this part of my dispatch; it was the only point on which he entered, but I by no means infer from his not bringing forward some claims for Spain, that we are not to hear of any in the course of the negotiation: on the contrary, I have little doubt that many, and most of them inadmissible, will be made before it can end. He, however, was silent on them at this moment, and confined all he had to say to combating the idea that Spain was bound, by the treaty of Utrecht, not to alienate her possessions in America. I had the article copied in my pocket, and I read it to him. He confessed it was clear and explicit, but that circumstances had so materially altered since the year 1713, that engagements made then ought not to be considered as in force now. I said, that the spirit of the article itself went to provide for distant contingencies, not for what was expected to happen at or near the time

when the treaty was made, and that it was because the alteration of circumstances he alluded to was foreseen as possible that the clause was inserted; and that if Spain paid any regard to the faith of treaties, she must consider herself as no less strictly bound by this clause now than at the moment when it was drawn up. I went on, by saying, that it did not however appear quite impossible that this point might be settled without much difficulty; and that means might be devised that his Catholic Majesty should not break his faith, and both England and France be equally satisfied. I then held out to him, but in general terms, that either Spain might regain her part of St. Domingo, by making some considerable cession to Great Britain and France, as the price of peace, or that, in return for leaving the whole of St. Domingo to France, we should retain either Martinico or St. Lucia and Tobago. M. Delacroix listened with a degree of attention to these proposals, but he was fearful of committing himself by any expression of approbation, and he dismissed the subject of the court of Madrid, by observing, that France never would forsake the interests of its allies.

Our conversation on those of its other ally, Holland, was much longer, as the wording of the memorial inevitably led at once deep into the subject.

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M. Delacroix affected to treat any deviation from the treaty of peace concluded between France and that country, or any restoration of territories acquired under that treaty to France, as quite impracticable. He treated, as equally impracticable, any attempt at restoring the ancient form of government in the Seven United Provinces. He talked with an air of triumph of the establishment of a national convention at the Hague, and with an affectation of feeling, that by it the cause of freedom had extended itself over such a large number of people. He, however, was ready to confess, that, from the great losses the Dutch republic had sustained in its colonies, and particularly from the weak manner in which they had defended them, it could not be expected that his Majesty would consent to a full and complete restitution of them, and that it was reasonable that some should be sacrificed; and he asked me, if I could inform him, how far our views extended on this point? I said, I had reason to believe that what his Majesty would require would be possessions and settlements which would not add either to the power or wealth of our Indian dominions, but only tend to secure to us their safe and unmolested possession. * You mean, by this," said M. Delacroix, " the Cape and Trincomale." I said, they certainly came under that description, and I saw little prospect of their being restored to the

the Dutch. M. Delacroix launched forth, on this, into a most laboured dissertation on the value of the Cape of Good Hope, which he did not consider at all as a *port de relache*, but as a possession which, in our hands, would become one of the most fertile and most productive colonies in the east; and, according to his estimation of it, he did not scruple to assert, that it would ultimately be an acquisition of infinitely greater importance to England than that of the Netherlands to France; and, if acquiesced in, should be reckoned as a full and ample compensation for them. He added, "If you are masters of the Cape and Trincomale, we shall hold all our settlements in India, and the islands of France and Bourbon, entirely at the tenure of your will and pleasure; they will be our's only as long as you chuse we should retain them. You will be sole masters in India, and we shall be entirely dependent upon you." I repeated to him, that it was as means of defence, not of offence, that these possessions would be insisted on, and that if the matter was fairly and dispassionately discussed, he would find that they afforded us a great additional security, but no additional power of attack, even if we were disposed to disturb the peace of that part of the world. If these, and perhaps some few other not very material settlements belonging to the Dutch, were to be in-

insisted upon, and if he would be pleased to enumerate all we should still have to restore to them, while they had nothing to restore to England, it was impossible not to consider the terms on which his Majesty proposed peace to Holland as generous and liberal.

M. Delacroix was not at all disposed to agree with me on this point, and said, Holland, stripped of these possessions, would be ruined. He then held out, but as if the idea had just crossed his mind, the possibility of indemnifying the Dutch for their losses in India, by giving them a tract of territory towards the Meuse, (I could not find out whether he meant Aix la Chapelle, Liege, or the countries of Juliers and Berg) and hinted, that if this was not to be done, an additional sugar island might, perhaps, be ceded to the Dutch republic. I told him, all this might become a subject of future discussion, and I conceived, that if we could agree upon the more essential points, the treaty would not break off on these secondary considerations. Our conversation had now been extremely long, and M. Delacroix ended by saying, that although he had taken upon himself to enter with me thus far upon the subject, yet I must not consider any thing he said as binding, or as pledging the republic, till such time as he had laid the papers I had given him before the Directory; and, in order to do this with more

accuracy, he again asked me, whether in his report he was to state the disuniting Belgium from France as a *sine qua non* from which his Majesty would not depart. I replied, it most certainly was a *sine qua non* from which his Majesty would not depart; and that any proposal which would leave the Netherlands annexed to France would be attended with much greater benefit to that power, and loss to the allies, than the present relative situation of the belligerent powers could entitle the French government to expect.

M. Delacroix repeated his concern at the presumptory way in which I made this assertion, and asked, whether it would admit of no modification? I replied, if France could, in a *contre projet*, point out a practicable and adequate one, still keeping in view that the Netherlands must not be French, or likely again to fall into the hands of France, such a proposal might certainly be taken into consideration.

M. Delacroix by no means encouraged me to explain myself more fully; he repeatedly said, that this difficulty relative to the Netherlands was one which could not be overcome.

Just as I was taking leave of him, he begged me to explain what was meant by the words in the Memoire (A) in the 4th paragraph, beginning *de s'entendre mutuellement sur les moyens d'assurer*, and ending at *leurs possessions respectives*. I told him,

him, it referred to the destructive system adopted by France in the West Indies, and went to express a wish, that the two powers should agree on some general and uniform system of internal police in the settlements there, which would contribute to the security of these possessions to the respective countries, and at the same time to the happiness of every description of inhabitants in them.

M. Delacroix, a little hurt at my expression relative to the system adopted by France, 'endeavoured to retriminate on us; but he ended by saying, that they should certainly be willing to con-
 sider in any arrangement relative to the negroes which did not militate against the principles of their constitution.

Here our conference ended, and as, during the whole course of it, I bore in my mind the possibility, that although this our first might be the only favourable opportunity I should ever have of speaking on the general principles on which his Majesty was disposed to treat, I endeavoured, by ad-
 verting more or less to almost every point in my instructions, to enable M. Delacroix (if he reports faithfully) to state to the Directory what I said in such a manner as to put it out of their power to misconceive what were his Majesty's intentions, to remove all possibility of cavil on this case, and to bring them to a clear and distinct answer whether they would agree to open a negotiation on

the principle of the *status ante bellum*, or on one differing from it only in form, not in substance. I hope, in attempting to do this, I did not, in the first instance, commit myself, or discover more of my instructions than it became me to do, and that in the conversation with M. Delacroix nothing escaped me which might, at some subsequent period, hurt the progress of the negotiation. I have, I believe, given this conference nearly verbatim to your Lordship; and I was particularly anxious to do this correctly and minutely, as well that you may judge on the propriety of what I said myself, as that what M. Delacroix said to me may be accurately known, and remain on record.

It must, however, be remembered (as I observed in the beginning of this dispatch) that he spoke from himself, as minister indeed, but not under the immediate instructions of the Directory, and this consideration will take a little away from the singularity of some of the positions he advanced.

I confess, my Lord, from the civility of his manners, and from his apparent readiness to discuss the subject, the impression which remained on my mind, on leaving him, was, that the negotiation would go on, but be liable to so many difficulties, and some of them so nearly insurmountable, that, knowing as I do the opinion of the Directory, I saw little prospect of its terminating

minating successfully. But I did not expect the conduct of the Directory would immediately be such as to evince a manifest inclination, and even determination, to break off on the first proposals; and I was not a little surprised at receiving, on Sunday, at three P. M. the inclosed letter A from M. Delacroix. He sent it by the principal secretary of his department (M. Guiraudet) who communicated to me the original of the arrêté of the Directory, of which this letter, abating the alteration in the form, is a literal copy. After perusing it, I asked M. Guiraudet, whether he was informed of its contents, and this led to a short conversation on them. I told him that both the demands were so unexpected, that I could not reply to them off hand: that, as to the first, it was quite unusual to sign memorials which were annexed to a note actually signed, and that I scarcely felt myself authorised to depart from what was, I believe, an invariable rule. That, as to the second demand, made in so peremptory and unprecedented a way, I could, without much hesitation, say, at once, that it could not be complied with. M. Guiraudet lamented this much, and said, that, this being the case, he feared our principles of negotiation would never coincide. I agreed with him in my expressions of concern. We conversed together afterwards for some time, but nothing passed at all

worthy remark. I told him, I should send my answer the next day. On reflecting more attentively on the request that I would sign the two memorials which I had given in, it struck me that the complying with it pledged me to nothing, that it was merely gratifying them on a point insisted on peevishly, and that the doing it would put them still more in the wrong.

As to the strange demand of an ultimatum, it was perfectly clear what it became me to say, and I hope that in the inclosed answer B. (which I sent yesterday morning at twelve o'clock) to M. Delacroix, I shall be found to have adhered as closely as possible to the spirit of my instructions.

Yesterday evening, at half past nine, M. Guiraudet brought me the note C. to which I immediately replied by the note D. They require no comment; and as I intend leaving Paris to-morrow, and travelling with all convenient speed, I shall so soon have it in my power to say the little which remains to say relative to this sudden, though perhaps not unlooked-for, close to my mission, that I need not trespass any further on your Lordship's patience.

I have the honour to be, &c.

(Signed) MALMESBURY.

P. S. I thought it would be proper for his Majesty's minister at Vienna to receive the earliest intelligence of the negotiation being broken off, I there-

therefore have dispatched a messenger to Vienna with a copy of the several papers which have passed between me and M^{ons}. Delacroix since our conference, and also a succinct account of what passed on it. The messenger left this place to-day at three, P. M.

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Right Hon. Lord Grenville, &c.

No. 31.

(A.)

Paris, 28th Frimaire, (December 18) 5th Year.

SIR,

THE Executive Directory has heard the reading of the official note signed by you, and of two confidential memorials without signatures, which were annexed to it, and which you gave in to me yesterday. I am charged expressly by the Directory to declare to you, that it cannot listen to any confidential note without a signature, and to require of you to give in to me, officially, within four and twenty hours, your *ultimatum*, signed by you.

Accept, Sir, the assurance of my high consideration.

(Signed)

CH. DELACROIX.

No.

*Paris, 19th December, 1796.***COPY. (B.)**

LORD Malmesbury, in answer to the letter which the minister for foreign affairs had the goodness to transmit to him through the hands of the secretary general of his department, must remark, that in signing the official note which he gave in to that minister, by order of his court, he thought he had complied with all the usual formalities, and had given the necessary authenticity to the two confidential memorials which were annexed to it. Nevertheless, to remove all difficulties, as far as lies in his power, he willingly adopts the forms which are pointed out by the resolution of the Executive Directory, and hastens to send to the minister for foreign affairs the two memorials signed by his hand.

With respect to the positive demand of an *ultimatum*, Lord Malmesbury observes, that insisting on that point in so peremptory a manner, before the two powers shall have communicated to each other their respective pretensions, and that the articles of the future treaty shall have been submitted to the discussions which the different interests which are to be adjusted necessarily demand, is to shut the door against all negotiation. He, therefore, can add nothing to the assurances which he
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has already given to the minister for foreign affairs, as well by word of mouth, as in his official note; and he repeats, that he is ready to enter with that minister into every explanation of which the state and progress of the negotiation may admit, and that he will not fail to enter into the discussion of the proposals of his court, or of any counter project which may be delivered to him, on the part of the Executive Directory, with that candour and that spirit of conciliation which correspond with the just and pacific sentiments of his court.

Lord Malmesbury requests the minister for foreign affairs to accept the assurances of his high consideration.

No. 33.

(C.)

THE undersigned minister for foreign affairs is charged by the Executive Directory to answer Lord Malmesbury's two notes of the 27th and 29th Frimaire, (17th and 19th December, O. S.) that the Executive Directory will listen to no proposals contrary to the constitution, to the laws, and to the treaties which bind the republic.

And as Lord Malmesbury announces at every communication, that he is in want of the opinion of his court, from which it results that he acts a
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part merely passive in the negotiation, which renders his presence at Paris useless; the undersigned is further charged to give him notice to depart from Paris in eight and forty hours, with all the persons who have accompanied and followed him, and to quit, as expeditiously as possible, the territory of the republic. The undersigned declares, moreover, in the name of the Executive Directory, that if the British cabinet is desirous of peace, the Executive Directory is ready to follow the negotiations, according to the basis laid down in the present note, by the reciprocal channels of commerce.

(Signed) CH. DELACROIX.

Paris, 29th Frimaire (19th Dec.)

5th Year of the French republic,
one and indivisible.

No. 34.

(D)

LORD Malmesbury hastens to acknowledge the receipt of the note of the minister for foreign affairs, dated yesterday. He is preparing to quit Paris to-morrow, and demands, in consequence, the necessary passport for himself and his suite.

He requests the minister for foreign affairs to accept the assurance of his high consideration.

Paris, 20th Dec. 1796.

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DECLARATION.

THE negotiation, which an anxious desire for the restoration of peace had induced his Majesty to open at Paris, having been abruptly terminated by the French government, the King thinks it due to himself and his people to state, in this public manner, the circumstances which have preceded and attended a transaction of so much importance to the general interests of Europe.

It is well known that early in the present year, his Majesty, laying aside the consideration of many circumstances of difficulty and discouragement, determined to take such steps as were best calculated to open the way for negotiation, if any corresponding desire prevailed on the part of his enemies. He directed an overture to be made in his name by his minister in Switzerland, for the purpose of ascertaining the dispositions of the French government with respect to peace. The answer which he received in return was at once haughty and evasive: it affected to question the sincerity of those dispositions of which his Majesty's conduct afforded so unequivocal a proof; it raised groundless objections to the mode of negotiation proposed by his Majesty (that of a general congress, by which peace has so often been restored to Europe;) but it studiously passed over in silence his
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Majesty's desire to learn what other mode would be preferred by France. It at the same time asserted a principle, which was stated as an indispensable preliminary to all negotiation; a principle under which the terms of peace must have been regulated, not by the usual considerations of justice, policy, and reciprocal convenience; but by an implicit submission on the part of all other powers, to a claim founded on the internal laws and separate constitution of France, as having full authority to supersede the treaties entered into by independent states, to govern their interests, to controul their engagements, and to dispose of their dominions.

A pretension in itself so extravagant, could in no instance have been admitted, nor even listened to for a moment. Its application to the present case led to nothing less than that France should, as a preliminary to all discussion, retain nearly all her conquests, and those particularly in which his Majesty was most concerned, both from the ties of interest, and the sacred obligations of treaties: that she should, in like manner, recover back all that had been conquered from her in every part of the world: and that she should be left at liberty to bring forward such further demands, on all other points of negotiation, as such unqualified submission on the part of those with whom she treated could not fail to produce.

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On such grounds as these, it was sufficiently evident that no negotiation could be established: neither did the answer of his Majesty's enemies afford any opening for continuing the discussion, since the mode of negotiation offered by his Majesty had been peremptorily rejected by them, and no other had been stated in which they were willing to concur.

His Majesty was, however, not discouraged even by this result from still pursuing such measures as appeared to him most conducive to the end of peace; and the wishes of his ally, the Emperor, corresponding with those which his Majesty had manifested, sentiments of a similar tendency were expressed on the part of his Imperial Majesty at the time of opening the campaign: but the continuance of the same spirit and principles on the part of the enemy rendered this fresh overture equally unsuccessful.

While the government of France thus persisted in obstructing every measure that could even open the way to negotiation, no endeavour was omitted to mislead the public opinion throughout all Europe with respect to the real cause of the prolongation of the war, and to cast a doubt on those dispositions which could alone have dictated the steps taken by his Majesty and his august ally.

In order to deprive his enemies of all possibility of subterfuge or evasion, and in the hope that a just sense of the continued calamities of war, and of the increasing distresses of France herself, might at length have led to more just and pacific dispositions, his Majesty renewed in another form, and through the intervention of a friendly power, a proposal for opening negotiations for peace. The manner in which this intervention was received, indicated the most hostile dispositions towards Great Britain, and at the same time afforded to all Europe a striking instance of that injurious and offensive conduct which is observed on the part of the French government towards all other countries. The repeated overtures made in his Majesty's name were nevertheless of such a nature, that it was at last found impossible to persist in the absolute rejection of them, without the direct and undisguised avowal of a determination to refuse to Europe all hope of the restoration of tranquillity. A channel was therefore at length indicated through which the government of France professed itself willing to carry on a negotiation, and a readiness was expressed (though in terms far remote from any spirit of conciliation) to receive a minister, authorised by his Majesty to proceed to Paris for that purpose.

Many circumstances might have been urged as affording powerful motives against adopting this suggestion, until the government of France had
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given some indication of a spirit better calculated to promote the success of such a mission, and to meet these advances on the part of Great Britain. The King's desire for the restoration of general peace on just and honourable terms, his concern for the interests of his subjects, and his determination to leave to his enemies no pretext for imputing to him the consequences of their own ambition, induced him to overlook every such consideration, and to take a step which these reasons alone could justify.

The repeated endeavours of the French government to defeat this mission in its outset, and to break off the intercourse thus opened, even before the first steps towards negotiation could be taken ; the indecent and injurious language employed with a view to irritate ; the captious and frivolous objections raised for the purpose of obstructing the progress of the discussion ; all these have sufficiently appeared from the official papers which passed on both sides, and which are known to all Europe.

But above all, the abrupt termination of the negotiation has afforded the most conclusive proof, that at no period of it was any real wish for peace entertained on the part of the French government.

After repeated evasion and delay, that government had at length consented to establish, as the basis of the negotiation, a principle proposed by his Majesty, liberal in its own nature, equitable to-
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wards his enemies, and calculated to provide for the interests of his allies, and of Europe. It had been agreed that compensation should be made to France, by proportionable restitutions from his Majesty's conquests on that power, for those arrangements to which she should be called upon to consent, in order to satisfy the just pretensions of his allies, and to preserve the political balance of Europe. At the desire of the French government itself, memorials were presented by his Majesty's minister, which contained the outlines of terms of peace, grounded on the basis so established, and in which his Majesty proposed to carry to the utmost possible extent the application of a principle so equitable with respect to France, and so liberal on his Majesty's part. The delivery of these papers was accompanied by a declaration expressly and repeatedly made both verbally and in writing, that his Majesty's minister was willing and prepared to enter, with a spirit of conciliation and fairness, into the discussion of the different points there contained, or into that of any other proposal or scheme of peace, which the French government might wish to substitute in its place.

In reply to this communication, he received a demand, in form the most offensive, and in substance the most extravagant, that ever was made in the course of any negotiation. It was peremptorily required of him, that in the very outset of
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the business, when no answer had been given by the French government to his first proposal, when he had not even learnt, in any regular shape, the nature or extent of the objections to it, and much less received from that government any other offer or plan of peace, he should in twenty-four hours deliver in a statement of the final terms to which his court would in any case accede. A demand tending evidently to shut the door to all negotiation, to preclude all discussion, all explanation, all possibility of the amicable adjustment of points of difference. A demand in its nature preposterous, in its execution impracticable, since it is plain that no such ultimate resolution respecting a general plan of peace ever can be rationally formed, much less declared, without knowing what points are principally objected to by the enemy, and what facilities he may be willing to offer in return for concession in those respects. Having declined compliance with this demand, and explained the reasons which rendered it inadmissible, but having, at the same time, expressly renewed the declaration of his readiness to enter into the discussion of the proposal he had conveyed, or of any other which might be communicated to him, the King's minister received no other answer than an abrupt command to quit Paris in forty-eight hours.—If, in addition to such an insult, any further proof were necessary of the dispositions of those by whom it was offered, such

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proof would be abundantly supplied from the contents of the note in which this order was conveyed. The mode of negotiation on which the French government had itself insisted is there rejected, and no practicable means left open for treating with effect. The basis of negotiation so recently established by mutual consent is there disclaimed, and, in its room, a principle clearly inadmissible is reasserted as the only ground on which France can consent to treat:—the very same principle which had been brought forward in reply to his Majesty's first overtures from Swisserland, which had then been rejected by his Majesty, but which now appears never to have been in fact abandoned by the government of France, however inconsistent with that on which they had expressly agreed to treat.

It is therefore necessary, that all Europe should understand, that the rupture of the negotiation at Paris does not arise from the failure of any sincere attempt on the part of France to reconcile, by fair discussion, the views and interests of the contending powers. Such a discussion has been repeatedly invited, and even solicited on the part of his Majesty, but has been, in the first instance, and absolutely, precluded by the act of the French government.

It arises exclusively from the determination of that government to reject all means of peace: a determination which appeared but too strongly in all the

the preliminary discussions; which was clearly manifested in the demand of an ultimatum made in the very outset of the negotiation; but which is proved beyond all possibility of doubt, by the obstinate adherence to a claim, which never can be admitted; a claim, that the construction which that government affects to put, (though even in that respect unsupported by the fact) on the internal constitution of its own country, shall be received by all other nations, as paramount to every known principle of public law in Europe, as superior to the obligations of treaties, to the ties of common interest, to the most pressing and urgent considerations of general security.

On such grounds it is that the French government has abruptly terminated a negotiation, which it commenced with reluctance, and conducted with every indication of a resolution to prevent its final success. On these motives it is, that the further effusion of blood, the continued calamities of war, the interruptions of peaceable and friendly intercourse among mankind, the prolonged distresses of Europe, and the accumulated miseries of France itself, are by the government of that country to be justified to the world.

His Majesty, who had entered into the negotiation with good faith, who has suffered no impediment to prevent his prosecuting it with earnestness and sincerity, has now only to lament its abrupt

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termination; and to renew, in the face of all Europe, the solemn declaration, that, whenever his enemies shall be disposed to enter on the work of general pacification in a spirit of conciliation and equity, nothing shall be wanting on his part to contribute to the accomplishment of that great object, with a view to which he has already offered such considerable sacrifices on his part, and which is now retarded only by the exorbitant pretensions of his enemies.

Westminster, 27th Dec. 1796.

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